
**MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY – JULY 24, 2014**

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held July 24, 2014, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

ABSENT: Lappe 1.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

The first order of business is to open the suspended investment committee meeting from July 21, 2014.

Whereupon, by opening the investment committee meeting of July 21, 2014, this regular meeting of the Retirement Board is suspended.

The continuation of the investment committee meeting was conducted.

It was moved by Trustee Scott, seconded by Trustee Neely that the Board adjourn and close the Investment Committee meeting.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Wright, that the Board approve the amended minutes from the Investment Committee meeting held July 21, 2014 and concluded July 24, 2014.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

Whereupon, by closing the Investment Committee meeting which began July 21, 2014, and concluded July 24, 2014, this regular meeting of the Retirement Board is open.

It was moved by Trustee Scott, seconded by Trustee Hamburger that the Board approve the minutes from the regular meeting held June 30, 2014.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

General Agenda completed The Board President Hauser called for motions for the Board to approve the written order which adopt the Board's decisions.

It was moved by Trustee Scott, seconded by Trustee Wright that the Board approve the order as submitted by Board counsel on the disability claim of Pamela Jones.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Scott, Wright 6.

Absent: Lappe 1.

Present: Neely 1.

Against: 0.

The Board Recording Secretary conducted the agenda as follows:

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1 - 7 Incurred Expenses for the Month of July 2014.

It was moved by Trustee Scott, seconded by Trustee Avila that the Board approve the Obligations as detailed on pages 1 through 7.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

8 - 12 Refunds of Contributions; Withdrawal of Service, Exempt Rank Widow's Annuity Accumulations and Revised Widow's Annuity Accumulations.

It was moved by Trustee Neely, seconded by Trustee Avila that the Board approve the Refunds as detailed on pages 8 through 12.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

13 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Neely that the Board approve the Payment to Heirs of Deceased Annuitants as detailed on page 13.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

14 Refund of Unused Annuity Accumulations

It was moved by Trustee Hauser, seconded by Trustee Scott that the Board approve the Refund of Unused Annuity Accumulations as detailed on page 14.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

15 - 17 Annuities [Summary pg. 18]

It was moved by Trustee Hauser, seconded by Trustee Neely that the Board approve the Annuities as detailed on pages 15 through 17.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

19 - 22 Annuities - Revised

It was moved by Trustee Neely, seconded by Trustee Wright that the Board approve the Annuities-Revised as detailed on pages 19 through 22.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

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PAGE NO. REFERENCE

23 Annuities to Widows [Summary pg. 24]

It was moved by Trustee Scott, seconded by Trustee Hauser that the Board approve the Annuities to Widows as detailed on page 23.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

25 -26 Occupational/Duty Disability Benefit Claims

a) **Gubala, Michelle L.**

Based on the medical reports, it was moved by Trustee Neely, seconded by Trustee Scott that the Board defer the officer's claim, subject to a full evidentiary hearing.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott 6.

Absent: Lappe 1.

Against: Wright 1.

b) **Hespe, Kelly S.**

Based on the medical reports, it was moved by Trustee Neely, seconded by Trustee Avila that the Board defer the officer's claim, subject to a full evidentiary hearing.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

c) **Mack, Richard A.**

Based on the medical reports, it was moved by Trustee Neely, seconded by Trustee Scott that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

d) **Spalding, Shannon**

Based on the medical reports, it was moved by Trustee Wright, seconded by Trustee Avila that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Maloney, Wright 4.

Absent: Lappe 1.

Against: Hauser, Neely, Scott 3.

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PAGE NO. REFERENCE

27 - 28 Payments of Death Benefits [Summary pg. 29]

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Death Benefits as detailed on pages 27 and 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

MISCELLANEOUS

30 TAX RESOLUTION FOR 2015

Trustee Scott requested the Resolution be amended to reflect that the payment is levied in 2015 for payment in 2016.

It was moved by Trustee Neely, seconded by Trustee Avila that the Board approve the Tax Resolution as amended and detailed on page 30.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

31 GUARDIANSHIP APPOINTMENT

Ward, Eleanor

It was moved by Trustee Scott, seconded by Trustee Hamburger that the Board acknowledge the Guardianship Appointment as detailed on page 31.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

32 PETITIONS FOR PENSION CREDIT FOR PRIOR COOK COUNTY
 SERVICE UNDER 5-214 (C)

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Hauser that the Board approve the prior Cook County service petitions as detailed on page 32.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

33 PETITIONS FOR PENSION CREDIT FOR PRIOR MILITARY
 SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Hamburger, seconded by Trustee Scott that the Board approve the prior military service petitions as detailed on page 33.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

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It was moved by Trustee Neely, seconded by Trustee Wright that the Board go into executive session pursuant to 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

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DISABILITY HEARINGS

34 ORDINARY DISABILITY CLAIMS

Czarnecki, Jennifer

Jennifer Czarnecki appeared before the Board on her claim for an ordinary disability benefit. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Maloney, seconded by Trustee Wright, that the Board award Officer Czarnecki the ordinary disability benefit for which she has applied.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

35 DUTY DISABILITY STATUS REVIEWS

Mercado, Alan R.

It was moved by Trustee Maloney, seconded by Trustee Wright, that the Board grant the request for a continuance to submit current medical on the duty disability status review of Alan R. Mercado.

ROLL CALL

For: Avila, Hauser, Maloney, Wright 4.

Absent: Lappe 1.

Against: Hamburger, Neely, Scott 3.

36 DUTY DISABILITY CLAIMS

Burg, Jason C.

Jason C. Burg appeared before the Board on his claim for a duty disability benefit. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Wright, seconded by Trustee Maloney, that the Board grant a duty disability benefit.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

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36 DUTY DISABILITY CLAIMS
McGee, Dwayne R.

Dwayne R. McGee appeared before the Board on his claim for a duty disability benefit. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Wright, seconded by Trustee Maloney, that the Board grant a duty disability benefit.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Scott that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

Mheenbeek, Adria T.

*It was moved by Trustee Maloney, seconded by Trustee Wright, that the Board grant the request for a 30-day continuance on the duty disability claim of **Adria T. Mheenbeek**.*

ROLL CALL

For: Hauser, Maloney, Wright 3.

Absent: Lappe 1.

Against: Avila, Hamburger, Neely, Scott 4.

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board go into executive session pursuant to 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Avila that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

Trustee Maloney withdrew his motion for a continuance.

Trustee Wright withdrew his second to the motion.

*It was moved by Trustee Maloney, seconded by Trustee Wright, that the Board grant a continuance on the duty disability claim of **Adria T. Mheenbeek**.*

ROLL CALL

For: Hauser, Maloney, Scott, Wright 4.

Absent: Lappe 1.

Against: Avila, Hamburger, Neely, 3

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36 DUTY DISABILITY CLAIMS
Munno, Maryann

*It was moved by Trustee Scott, seconded by Trustee Maloney, that the Board grant the request for a continuance on the duty disability claim of **Maryann Munno**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

Spaargaren, Jacqueline

Jacqueline Spaargaren appeared before the Board on her claim for a duty disability benefit. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Scott, seconded by Trustee Hamburger, that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney, that the Board grant a duty disability benefit.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Scott, Wright 6.

Absent: Lappe 1.

Against: Neely 1.

It was moved by Trustee Maloney, seconded by Trustee Wright that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Maloney, Wright 2.

Absent: Lappe 1.

Against: Avila, Hamburger, Hauser, Neely, Scott 5.

MOTION FAILS

It was then moved by Trustee Scott, seconded by Trustee Maloney that the Board grant the duty award at 50% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Scott, Wright 6.

Absent: Lappe 1.

Against: Neely 1.

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36 DUTY DISABILITY CLAIMS
Stehlik, Scott E.

Scott E. Stehlik appeared before the Board on his claim for a duty disability benefit. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Scott, seconded by Trustee Neely, that the Board go into executive session.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.
Absent: Lappe 1.
Against: 0.

It was moved by Trustee Neely, seconded by Trustee Avila, that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.
Absent: Lappe 1.
Against: 0.

It was moved by Trustee Neely, seconded by Trustee Scott that the Board grant Officer Stehlik a duty disability benefit.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.
Absent: Lappe 1.
Against: 0.

It was moved by Trustee Maloney that the Board grant the duty award at 75% of salary as defined in the Statute.

No Second: MOTION FAILS

It was moved by Trustee Scott, seconded by Trustee Wright that the Board grant the duty award at 50% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.
Absent: Lappe 1.
Against: 0.

The Executive Director reviewed with the Board the following matters.

- The Fund received communication from the Honorable Mayor Rahm Emanuel, which reappoints Stephanie D. Neely as Trustee on the Retirement Board of the Policemen's Annuity and Benefit Fund for a term expiring November 30, 2016.
- Report the hiring of a Fund Comptroller, James Dollard.
- Recent medical reviews by the Board's Physician reveal that additional tests are required on certain individuals.

It was moved by Trustee Neely, seconded by Trustee Wright that the Board approve an Orthopedic IME be completed on disability recipient James Buckley.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.
Absent: Lappe 1.
Against: 0.

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*It was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve an Orthopedic IME with the possibility of a FCE be completed on disability recipient **Melissa Aguilera**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

*It was moved by Trustee Neely, seconded by Trustee Hamburger that the Board approve a NCV (nerve conduction velocity) test be completed on disability recipient **Paul Rizzo**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.

- The FOP has engaged the services of Source One to be the broker of record for the dental and vision program offered through the FOP.
- Discussion concerning an IRS determination letter for the Fund.
- An item from Board's counsel concerning pending litigation, the Lyondell Case, which will be monitored and updates reported.

All business concluded for this date, July 24, 2014, *it was moved by Trustee Hauser, seconded by Trustee Wright that this meeting be adjourned.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Scott, Wright 7.

Absent: Lappe 1.

Against: 0.